



PATENT
Customer Number 22,852
Attorney Docket No. 7040.0008.02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Marco NAHMIAS NANNI et al.)
)
Application Serial No. 09/802,948) Group Art Unit: 1733
)
Filed: March 12, 2001) Examiner: Maki, S.
)
For: LOW-RUNNING-TEMPERATURE)
TYRE)

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

RECEIVED
MAR 31
TC 1700

PETITION UNDER 37 C.F.R. § 1.84(b)(2)

Applicants respectfully petition the Commissioner of Patents and Trademarks under 37 C.F.R. § 1.84(b)(2) to accept one (1) color thermograph/photograph in this utility application.

The subject matter disclosed in Fig. 6 is temperatures of a tyre tread in accordance with the invention compared with that of a tyre of known type, referred to the same tread pattern, of the asymmetric type, under the same working conditions. The tyre tread temperatures disclosed include virtually all visible tread locations shown in a thermograph, not merely selected, discontinuous points. Additionally, the tyre tread temperatures disclosed vary on a virtually-continuous temperature scale. Because the tyre tread temperatures vary virtually continuously from one point of the tyre tread to another and on a virtually-continuous temperature scale, any medium disclosing the tyre tread temperatures must be capable of disclosing this subject matter in a virtually-continuous manner.

Figure 6 is a color thermograph/photograph of a tyre tread in accordance with the invention compared with that of a tyre of known type, referred to the same tread pattern, of the

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

03/28/2003 BNGUYEN 00000029 09802948

02 FC:1460

130.00 OP

asymmetric type, under the same working conditions. This color thermograph/photograph shows the tyre tread temperatures at virtually all visible tread locations, not merely selected, discontinuous points. Additionally, this color thermograph/photograph shows the tyre tread temperatures according to a virtually-continuous chromatic scale with color changing from blue to red as the temperature increases from 25 °C to 65 °C. Thus, this color thermograph/photograph is capable of disclosing this subject matter in a virtually-continuous manner.

Applicants know of no printed medium other than a color thermograph/photograph capable of disclosing the tyre tread temperature subject matter in a virtually-continuous manner. Therefore, Applicants submit that a color thermograph/photograph is the only practical medium by which to disclose the tyre tread temperature subject matter.

In accordance with the requirements of 37 C.F.R. § 1.84(b)(2), the following are submitted together with this Petition: (1) the required fee of \$130.00 set forth in 37 C.F.R. § 1.17(h); (2) three copies of the color thermograph/photograph; and (3) a black and white photocopy of the color thermograph/photograph. Applicants note that the as-filed specification includes the required paragraph under the section heading BRIEF DESCRIPTION OF THE DRAWINGS.

If any additional fee not accounted for above is required in connection with the filing of this Petition, please charge that fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.



Dated: March 25, 2003

By: _____
Lawrence F. Galvin
Reg. No. 44,694

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com